

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 19, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-20469 - APPLICANT/OWNER: KYLE ACQUISITION
GROUP, LLC, ET AL**

**** CONDITIONS ****

The Planning Commission (6-0-1/bg vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Centennial Hills Sector Plan of the General Plan from PCD (Planned Community Development) and SC (Service Commercial) to TND (Traditional Neighborhood Development) on 7.27 acres on the west side of Oso Blanca Road, approximately 2,190 feet south of Kyle Canyon Road. Staff is recommending approval of this request as it will bring this site into alignment with the surrounding TND (Traditional Neighborhood Development) designations and lead to the incorporation of these parcels into the Kyle Canyon Master Plan area.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation Petition (A-0038-02) to annex undeveloped property located in various parts of the city under the provisions of NRS 268.597 No. 1(b) include a portion of the subject site. Planning Commission and staff recommended approval.
12/01/04	The City Council approved a Resolution Adopting Guidelines for Development within the Kyle Canyon Gateway Area (R-176-2004) to provide direction for the future development, subsequent to an anticipated purchased at auction in February 2005, of approximately 1,700 acres of Bureau of Land Management (BLM) managed land.
06/15/05	The City Council approved a Special Use Permit (SUP-6401) and a Site Development Plan Review (SDR-6402) for a proposed 5,843 square-foot tavern to be located on a portion of this site. Planning Commission and staff recommended approval.
09/06/06	The City Council approved a Required Review (RQR-15486) for a one-year review of an approved Site Development Plan Review (SDR-6402) for a proposed 5,843 square foot tavern to be located on a portion of this site.
10/05/06	The Planning Commission approved a Site Development Plan Review (SDR-16166) for a proposed 5,843 square-foot tavern and 6,750 square-foot retail development to be located on a portion of this site. Staff recommended approval.
04/26/07	The Planning Commission held this item in abeyance at the request of the applicant.

05/16/07	The City Council approved a Rezoning (ZON-20543) and Development Agreement (DIR-21605) to adopt the Kyle Canyon Development Standards and Design Guidelines and the Development Agreement for the Kyle Canyon Master Plan area. The Planning Commission and staff recommended approval.
07/18/07	The City Council approved a Review of Condition (ROC-22954) to remove extraneous conditions from a Rezoning (ZON-20543) approval. This rezoning action approved the Kyle Canyon Development Standards and Design Guidelines. Staff recommended approval.
07/25/07	Staff administratively approved a Parcel Map (PMP-22508) to merge and re-subdivide two lots that are a part of the subject site. This map was recorded on 07/31/07. The parcel map creates the lots reflected in the Rezoning (ZON-20475) and Special Use Permit (SUP-20478) for the approvals to meet the NRS 463.3086 requirements for a non-restrictive gaming facility.
08/15/07	The City Council will hear a Major Modification (MOD-22589) to clarify some street cross-sections and a Tentative Map (TMP-22586) to establish the Parent Tentative Map for the Kyle Canyon Master Plan area. Planning Commission and staff have recommended approval.
08/23/07	The Planning Commission recommended approval of companion items ZON-20475, ZON-22351 and SUP-20468 concurrently with this application. The Planning Commission voted 6-0-1/bg to recommend APPROVAL (PC Agenda Item #20/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or businesses licenses related to this site or action.	
<i>Pre-Application Meeting</i>	
No specific pre-application conference was conducted for this application. As a part of the Kyle Canyon Master Plan meetings between the City and the Master Developer, submittal requirements for this application were discussed.	
<i>Neighborhood Meeting</i>	
08/07/07	<p>A neighborhood meeting was held at Mountain Crest Community Center, 4701 North Durango Drive. Approximately 75 to 80 members of the public attended. The meeting was held in an open house type format and 37 comment cards were received. The following is a summary of the comments received:</p> <ul style="list-style-type: none"> Many of the residents who were opposed to the casino expressed that they felt their neighborhood was already served by the Santa Fe Station and they would much prefer that no casino be built at all in the area.

	<ul style="list-style-type: none">• Several said if it was to be approved, they'd like area residents to have input regarding the design and that it should be low key and not an "eyesore."• Several residents expressed concerns about the availability of water and a desire to see the entire community not built, while several others suggested that rather than a casino, we construct a water park type of amusement park or an amusement park like Six Flags or Disneyland so that no alcohol use would be permitted.• Traffic was another concern, with residents suggesting that US 95 is already too congested and others expressing concern with increased traffic on Horse.• Police protection problems were cited by several residents as concerns as well as environmental impacts.• One commenter did not live in the surrounding neighborhood but expressed that he has hiked on this land for 22 years and would have preferred it stay in federal ownership – he was not aware that it had been purchased by a private company and expressed concern of the hiking community.• Of those expressing positive response to the proposal, comments centered around the positive economic impact of the project as a whole and the availability of jobs in the area.• Some expressed a belief that their property values would be enhanced by the casino and other development.• Those commenting expressed that they'd like the hotel to be upscale and to incorporate the beauty of the area.• Keeping the height at 160 feet was important to several responders• Some expressed great enthusiasm and anticipation of a resort hotel casino – many comments were suggestive of the kinds of amenities residents would like to see at such a place – bowling, movie theaters, buffet, spa, concerts, and family oriented entertainment options.• There was a preference for an "upscale" operator• There was an expression of a desire for outside dining, and an excitement about the walkability of the community.• One commenter expressed that this is a good location because it doesn't interfere with existing homes, and that if someone did not want to live near it, they know it exists now and wouldn't have to purchase a home in that community.
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	<ul style="list-style-type: none"> • There was a suggestion that the hotel casino could provide a horseback area, hayrides or some kind of a water park. • A number of residents commented that the resort should resemble Green Valley Ranch or a JW Marriot and have an open, airy feel. • Comments common to many had to do with specific traffic issues and specific requests related to the interchanges on US 95.
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Field Check	
06/08/07	The Department of Planning and Development conducted a site visit that found that the site was an unimproved desert with a few subdivision directional signs for area subdivisions. Additionally, there are some abandoned structures and trash dumped in scattered places. There are dispersed homes in the general area.

Details of Application Request	
Site Area	
Gross Acres	7.27

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
	Undeveloped	PCD (Planned Community Development)	U(PCD) [Undeveloped (Planned Community Development) General Plan Designation]
	Undeveloped	PCD (Planned Community Development)	C-1 (Limited Commercial)
	Undeveloped	PCD (Planned Community Development)	C-2 (General Commercial)
North	Undeveloped	SC (Service Commercial)	U(SC) [Undeveloped (Service Commercial General) Plan Designation]
	Undeveloped	PCD (Planned Community Development)	U(PCD) [Undeveloped (Planned Community Development) General Plan Designation]
	ROW (US 95)	ROW (US 95)	ROW (US 95)

South	Undeveloped	TND (Traditional Neighborhood Development)	T-D (Traditional Development)
East	ROW (US 95)	ROW (US 95)	ROW (US 95)
West	Undeveloped	TND (Traditional Neighborhood Development)	T-D (Traditional Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Kyle Canyon	X		Y *
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O Gaming Enterprise Overlay District	X		Y **
T-D Traditional Development District	X		Y *
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment	X		Y ***
Project of Regional Significance	X		Y ***

* A companion Rezoning (ZON-22351), if approved, would change the zoning category for the subject site to T-D (Traditional Development) and would include this area in the Kyle Canyon Master Plan Area.

** A companion Rezoning (ZON-20475), if approved, will establish the G-O (Gaming Enterprise Overlay) District designation at this site. This is one of the necessary steps to approve a companion Special Use Permit (SUP-20478) for a non-restricted gaming facility and an eventual Site Development Plan Review for the siting of a future non-restricted gaming facility, hotel, and retail development.

*** The siting of a future non-restricted gaming facility, hotel, and retail development will meet the thresholds for both the Development Impact Notice Assessment (DINA) and Project of Regional Significance reporting requirements as it is providing greater than 300-units of tourist accommodations within the future hotel. The assessment and the corresponding comments for the entire Kyle Canyon Master Plan area were incorporated into the Development Agreement (DIR-21605) and this application should not further impacted those conclusions. Should an updated assessment be necessary, it will be require at the time of submission for the Site Development Plan Review.

ANALYSIS

The request is for a General Plan Amendment from PCD (Planned Community Development) and SC (Service Commercial) to TND (Traditional Neighborhood Development). The proposed designation allows development that is characterized as a mixed-use development type that allows for a balanced mix of housing, commercial, and civic uses. It is intended to be organized as a series of pedestrian-oriented neighborhoods with a mixture of housing types, with the uses of daily living within proximity of dwellings. The TND (Traditional Neighborhood Development) category differs from other designations by focusing on pedestrian-oriented neighborhoods that de-emphasizes gated private streets, cul-de-sacs and perimeter walls along the roadways. The 7.27 acres under review are currently portions of undeveloped parcels in the northwest area of the city. Per Section 3.18 of the Development Agreement (DIR-21605), these parcels may be added to the approved agreement and Master Plan without an amendment.

The inclusion of the subject site as a part of the Kyle Canyon Master Plan area is appropriate as the Las Vegas 2020 Master Plan calls for land within the area to be designated for preparation, adoption, and implementation of such special area plans. This amendment is the first step towards said inclusion. The TND (Traditional Neighborhood Development) designation is compatible with existing land use designations surrounding this site and is supportive of Objective 2.3 of the city's 2020 Master Plan; therefore, staff is in support this General Plan Amendment.

This amendment was submitted in conjunction with a proposed Rezoning (ZON-22351) to T-D (Traditional Development), Rezoning (ZON-20475) to establish a G-O (Gaming Enterprise Overlay) District, and a Special Use Permit (SUP-20478) to allow a Non-Restricted Gaming Facility use. The proposed Rezoning (ZON-22351) to T-D (Traditional Development) and this amendment are appropriate for approval, independent of the applications for the Rezoning (ZON-20475) to G-O (Gaming Enterprise Overlay) District and the Special Use Permit (SUP-20478) to allow a Non-Restricted Gaming Facility use.

FINDINGS

Pursuant to Title 19.18.030.I the following conditions must be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed TND (Traditional Neighborhood Development) allows development characterized as a mixed-use development type that allows for a balanced mix of housing, commercial, and civic uses. This proposed density and intensity is compatible with the existing TND (Traditional Neighborhood Development) designation to the south and west of the portions of the site subject to this amendment.

In regard to “2”:

If approved, this amendment would allow development within the standards of the proposed T-D (Traditional Development) zoning district which will be subject to the Kyle Canyon Development Standards and Design Guidelines. The T-D (Traditional Development) District is intended to provide for the development of comprehensively-planned mixed-use communities, which can provide a balanced mix of residential, commercial and civic uses which is compatible with the proposed T-D (Traditional Development) and U (Undeveloped) zoning designations to the south and west.

In regard to “3”:

There are or will be, under the Kyle Canyon Development Standards and Design Guidelines, adequate facilities and infrastructure to accommodate a planned community on this site.

In regard to “4”:

The city’s 2020 Master Plan specifically calls for the preparation, adoption, and implementation of special area plans for areas such as this site as identified under Objective 2.3 – Map 9. This amendment will conform to the policies that are espoused within the Kyle Canyon Development Standards and Design Guidelines, which meets Objective 2.3, and will be the adopted plan for this area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED by Planning Department

APPROVALS 0

PROTESTS 0